

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRIEFF HART	:	CIVIL ACTION
	:	
v.	:	
	:	
BARRY SMITH, THE DISTRICT	:	
ATTORNEY OF THE COUNTY OF	:	
LEHIGH and THE ATTORNEY GENERAL :	:	
OF THE STATE OF PENNSYLVANIA :	:	NO. 20-5236

**ORDER**

**NOW**, this 12th day of May, 2022, upon consideration of the Petition for Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2254 (Doc. No. 5), the response to the Petition, the petitioner's reply, and the Report and Recommendation filed by United States Magistrate Judge Lynne A. Sitarski (Doc. No. 16), and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Lynne A. Sitarski is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of *Habeas Corpus* is **DISMISSED**; and
3. No certificate of appealability will issue because the petitioner has not made a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253(c)(2).

/s/ TIMOTHY J. SAVAGE J.